

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE ALTRIA GROUP, INC. DERIVATIVE
LITIGATION

Lead Case No. 3:20cv772 (DJN)

PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT

COME NOW Lead Plaintiffs Eric Gilbert and Thomas Sandys, with plaintiffs David Hamilton and Maria Cecilia Lorca (“Federal Plaintiffs”), by counsel, pursuant to Federal Rule of Civil Procedure 23.1(c) and upon the Stipulation and Agreement of Settlement (the “Stipulation”),¹ and hereby move the Court for entry of an order in the form attached as Exhibit B to the Stipulation entitled [Proposed] Order Preliminarily Approving Settlement and Setting Settlement Hearing (“Preliminary Approval Order”): (1) granting preliminary approval of the proposed Settlement on the terms set forth in the Stipulation; (2) approving the proposed substance and form of the Notice and Summary Notice (Exhibits C & D to the Stipulation); and (3) scheduling the date for the Settlement Hearing.

The parties’ proposed Preliminary Approval Order includes blanks for the date and time of the Settlement Hearing, which the Court must complete in order to properly effectuate the Settlement. In this regard, Federal Plaintiffs request the following schedule, if the Court preliminarily approves the Settlement:

¹ The Stipulation is being filed contemporaneously herewith as Exhibit 1 to the Memorandum of Law in Support of Plaintiffs’ Motion for Preliminary Approval of Settlement. Unless otherwise stated, all capitalized terms used herein shall have the same meanings as set forth in the Stipulation.

Settlement Hearing	November 14, 2022
The Company shall file a Form 8-K with the SEC attaching the Notice; the Company shall post the Notice and Stipulation on the Company's website; the Company shall cause publication of the Summary Notice in the Wall Street Journal	September 15, 2022
All filings due in support of the Settlement and the Fee and Expense Award	October 10, 2022
Counsel for the Company shall file proof of dissemination of Notice by declaration or affidavit	November 7, 2022
All filings due in opposition to the Settlement and/or the Fee and Expense Award	October 24, 2022
Any reply filings due in support of the Settlement and/or Fee and Expense Award	November 7, 2022

Many of the dates for the events set forth above are tied either to the entry of the proposed Preliminary Approval Order or to the Settlement Hearing date, which the Parties respectfully request be scheduled at least sixty (60) days after the Notice Date, or at a later date at the Court's convenience. If this schedule is not convenient for the Court, the parties request that the Court utilize similar time intervals for the events in completing the proposed Preliminary Approval Order.

Federal Plaintiffs' motion is made pursuant to Federal Rule of Civil Procedure 23.1, and is based upon the Stipulation, the accompanying memorandum of law, all pleadings and papers filed in this action, and any such additional evidence or argument as may be required by the Court. For

the reasons set forth in the Stipulation and the accompanying memorandum, Federal Plaintiffs respectfully requests that the Court find that the proposed Settlement merits preliminary approval.

Dated: August 16, 2022

Respectfully submitted,

ERIC GILBERT and THOMAS SANDYS
Proposed Lead Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of August, 2022, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

/s/ Paul M. Falabella

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